

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or any original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

SYSTEM AND METHOD FOR SECURELY UTILIZING BASIC INPUT AND OUTPUT SYSTEM (BIOS) SERVICES

the specification of which is attached hereto.

was filed on June 18, 1999 as
United States Application Number 09/336,889
or PCT International Application Number _____
and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above. I do not know and do not believe that the claimed invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (for a utility patent application) or six months (for a design patent application) prior to this application.

I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

APPLICATION NUMBER	COUNTRY (OR INDICATE IF PCT)	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 USC 119
			<input type="checkbox"/> No <input type="checkbox"/> Yes
			<input type="checkbox"/> No <input type="checkbox"/> Yes
			<input type="checkbox"/> No <input type="checkbox"/> Yes

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

APPLICATION NUMBER	FILING DATE

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION NUMBER	FILING DATE	STATUS (ISSUED, PENDING, ABANDONED)

I hereby appoint BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP, a firm including: William E. Alford, Reg. 37,764; Farzad E. Amini, Reg. No. 42,261; Aloysius T. C. AuYeung, Reg. No. 35,432; William Thomas Babbitt, Reg. No. 39,591; Carol F. Barry, 41,600; Jordan Michael Becker, Reg. No. 39,602; Bradley J. Bereznak, Reg. No. 33,474; Michael A. Bernadicou, Reg. No. 35,934; Roger W. Blakely, Jr., Reg. No. 25,831; Gregory D. Caldwell, Reg. No. 39,926; Lawrence M. Cho, Reg. No. 39,942; Yong S. Choi, Reg. No. 43,324; Thomas M. Coester, Reg. No. 39,637; Roland B. Cortes, Reg. No. 39,152; Barbara Bokanov Courtney, Reg. No. P42,442; William Donald Davis, Reg. No. 38,428; Michael Anthony DeSanctis, Reg. No. 39,957; Daniel M. De Vos, Reg. No. 37,813; Tarek N. Fahmi, Reg. No. P41,402; James Y. Go, Reg. No. 40,621; Richard Leon Gregory, Jr., P42,607; Dinu Gruia, Reg. No. 42,996; Thomas A. Hassing, Reg. No. 36,159; James A. Henry, Reg. No. 41,064; Willmore F. Holbrow III, Reg. No. P41,845; George W. Hoover II, Reg. No. 32,992; Eric S. Hyman, Reg. No. 30,139; Dag H. Johansen, Reg. No. 36,172; William W. Kidd, Reg. No. 31,772; Tim L. Kitchen, Reg. No. P41,900; Michael J. Mallie, Reg. No. 36,591; Paul A. Mendonsa P42,879; Darren J. Milliken, P42,004; Thinh V. Nguyen, Reg. No. 42,034; Kimberley G. Nobles, Reg. No. 38,255; Michael A. Proksch P43,021; Babak Redjaian, Reg. No. 42,096; James H. Salter, Reg. No. 35,668; William W. Schaal, Reg. No. 39,018; James C. Scheller, Reg. No. 31,195; Maria McCormack Sobrino, Reg. No. 31,639; Stanley W. Sokoloff, Reg. No. 25,128; Allan T. Sponseller, Reg. No. 38,318; Geoffrey T. Staniford, P43,151; Judith A. Szepesi, Reg. No. 39,393; Vincent P. Tassinari, Reg. No. 42,179; Edwin H. Taylor, Reg. No. 25,129; George G. C. Tseng, Reg. No. 41,355; Lester J. Vincent, Reg. No. 31,460; Charles T. J. Weigell, Reg. No. 43,398; Ben J. Yorks, Reg. No. 33,609; and Norman Zafman, Reg. No. 26,250; my attorneys; and Amy M. Armstrong, Reg. No. P42,265; Robert Andrew Diehl, Reg. No. P40,992; and Edwin A. Sloane, Reg. No. 34,728; my patent agents, with offices located at 12400 Wilshire Boulevard, 7th Floor, Los Angeles, California 90025, telephone (714) 557-3800, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole/First Inventor (given name, family name)

Leonard J. Galasso

Inventor's Signature

Date

9/7/99

Residence

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Docket No. 002603.P002X

Full Name of Second/Joint Inventor (given name, family name) Matthew E. Zilmer

Inventor's Signature _____ **Date** _____

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Full Name of Third/Joint Inventor (given name, family name) Quang Phan

Inventor's Signature Quang Phan **Date** 9/7/99

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Full Name of Fourth/Joint Inventor (given name, family name) _____

Inventor's Signature _____ **Date** _____

Residence _____ **Citizenship** _____
(City, State) *(Country)*

P. O. Address _____

Full Name of Fifth/Joint Inventor (given name, family name) _____

Inventor's Signature _____ **Date** _____

Residence _____ **Citizenship** _____
(City, State) *(Country)*

P. O. Address _____

Full Name of Second/Joint Inventor (given name, family name) Matthew E. Zilmer

Inventor's Signature Matthew E. Zilmer

Date 8/31/99

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Full Name of Third/Joint Inventor (given name, family name) Quang Phan

Inventor's Signature _____

Date _____

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Citizenship USA

(Country)

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Tustin, California 92782 USA

Full Name of Fourth/Joint Inventor (given name, family name) _____

Inventor's Signature _____

Date _____

Residence _____

(City, State)

Citizenship _____

(Country)

P. O. Address _____

Full Name of Fifth/Joint Inventor (given name, family name) _____

Inventor's Signature _____

Date _____

Residence _____

(City, State)

Citizenship _____

(Country)

P. O. Address _____

09-17-1999



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U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

JCG25 U.S. PTO
09/679450
10/03/00



To the Honorable Commissioner of Pat

... original documents or copy thereof.

1. Name of conveying party(ies):

Leonard J. Galasso; Matthew E. Zilmer; Quang Phan

MPO 9-13-99

Additional name(s) of conveying party(ies) attached?

No Yes

3. Nature of Conveyance:

- Assignment Change of Name
 Security Agreement
 Other
 Merger

Execution Date: 08/31/99 , 09/07/99

2. Name and address of receiving party(ies):

Name: Phoenix Technologies Ltd.

Internal Address: _____

Street Address: 411 E. Plumeria Drive

City: San Jose State: CA ZIP: 95134

Additional name(s) & address(es) attached? No Yes

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

08/31/99

09/07/99

A. Patent Application No.(s)

09/336,889

B. Patent No.(s)

Additional numbers attached?

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Blakely, Sokoloff, Taylor & Zafman LLP

Internal Address: _____

Street Address: 12400 Wilshire Boulevard
7th Floor

City: Los Angeles State: CA ZIP: 90025

6. Total number of applications and patents involved: 1

7. Total Fee (37 CFR 3.41).....\$ 40.00

Enclosed

Authorized to be charged to deposit account

8. Deposit Account Number:

02-2666

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing is true and correct and any attached copy is a true copy of the original document.

09/16/1999 DNGUYEN 00000149 09336889

40.00 OP

Kimberley G. Nobles, Reg. No. 38,255

Name of Person Signing

Signature

September 10, 1999

Date

Total number of pages including cover sheet, attachments, and document: 5

Mail documents to be recorded with required cover sheet information to:

Assistant Commissioner of Patents, Box Assignments

Washington, D.C. 20231

ASSIGNMENT
(For Execution After Filing Patent
Application)

In consideration of good and valuable consideration, the receipt of which is hereby acknowledged, we, the undersigned:

Leonard J. Galasso; Matthew E. Zilmer; Quang Phan

hereby sell, assign, and transfer to:

Phoenix Technologies Ltd.

having a principal place of business at 411 E. Plumeria Drive, San Jose, California 95134, ("Assignee"), and its successors, assigns, and legal representatives, the entire right, title, and interest for the United States and all foreign countries, in and to any and all inventions and improvements that are disclosed in the application for the United States patent that was filed June 18, 1999, and assigned Application No. 09/336,889 and is entitled:

**SYSTEM AND METHOD FOR SECURELY UTILIZING BASIC INPUT AND OUTPUT
SYSTEM (BIOS) SERVICES**

and in and to said application and all divisional, continuing, continuation-in-part, substitute, renewal, reissue, and all other patent applications that have been or shall be filed in the United States and all foreign countries on any of said inventions and improvements; and in and to all original and reissued patents that have been or shall be issued in the United States and all foreign countries on said inventions and improvements; and in and to all rights of priority resulting from the filing of said United States application;

agree that said Assignee may apply for and receive a patent or patents for said inventions and improvements in its own name; and that, when requested, without charge to, but at the expense of, said Assignee, its successors, assigns, and legal representatives, to carry out in good faith the intent and purpose of this Assignment, the undersigned will execute all divisional, continuing, continuation-in-part, substitute, renewal, reissue, and all other patent applications on any and all said inventions and improvements; execute all rightful oaths, assignments, powers of attorney, and other papers; communicate to said Assignee, its successors, assigns, and representatives all facts known to the undersigned relating to said inventions and improvements and the history thereof; and generally assist said Assignee, its successors, assigns, or representatives in securing and maintaining proper patent protection for said inventions and improvements and for vesting title to said inventions and improvements, and all applications for patents and all patents on said improvements, in said Assignee, its successors, assigns, and legal representatives; and

covenant with said Assignee, its successors, assigns, and legal representatives that no assignment, grant, mortgage, license, or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Each Inventor: Please Sign and Date Below:

Date:

9/7/99

Name: Leonard J. Galasso

Date:

Name: Matthew E. Zilmer

Date:

9/7/99

Name: Quang Pham

Date:

Name:

Date:

Name:

Date:

Name:

Date:

Name:

Date:

Name:

Date:

Name:

Assignment Document Return Address:
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
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Telephone: (714) 557-3800

covenant with said Assignee, its successors, assigns, and legal representatives that no assignment, grant, mortgage, license, or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Each Inventor: Please Sign and Date Below:

Date: _____ Name: **Leonard J. Galasso**

8/31/99 
Date: _____ Name: **Matthew E. Zilmer**

Date: _____ Name: **Quang Phan**

Date: _____ Name: _____

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